

PUBLIC SUBMISSION

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| As of: October 04, 2011 |
| Received: September 27, 2011 |
| Status: Pending_Post |
| Tracking No. 80f3f95f |
| Comments Due: September 30, 2011 |
| Submission Type: Web |

Docket: EBSA-2010-0018

Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act

Comment On: EBSA-2010-0018-0002

Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services under Patient Protection and Affordable Care Act: Amendment

Document: EBSA-2010-0018-DRAFT-0372

Comment on FR Doc # 2011-19684

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General Comment

The limited religious exemption allowed by the Department of Health and Human Services provides inadequate protection for conscientious objections, a Constitutional protection.

The exemption only applies to certain non-profits. It does not protect pro-life business owners purchasing health care for their employees. It does not provide an option for companies who would prefer not to spend their money in that way.

In addition to qualifying as a non-profit under the Internal Revenue Code, organizations would need to meet three criteria to qualify for the exemption:

1. The inculcation of religious values is the purpose of the organization.
 2. The organization primarily employs persons who share the religious tenets of the organization.
 3. The organization serves primarily persons who share the religious tenets of the organization.
- This still leaves Christian charities endeavoring to serve the public unprotected. Ironically, even a pro-life pregnancy resource center would not meet the criteria for a religious exemption if it wanted to provide health insurance for employees

Furthermore, there is no exemption for individual health insurance plans. This could leave pro-life

citizens who choose to purchase health insurance for themselves in the tenuous position of paying into a program which subsidizes services contrary to their moral beliefs.

While this may happen already through some health care plans, these new regulations virtually insure the absence of options for those wishing to sell or purchase insurance plans grounded in pro-life ethics.

Finally, this situation will be compounded if and when the individual mandate takes effect. The price for refusing to subsidize contraceptives now may be remaining uninsured. The price in the future may be greater.